

MESSAGE NO: 8288205 MESSAGE DATE: 10/14/2008

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-570-891

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 05/24/2004 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: LIQUIDATION INSTRUCTIONS ON SCOPE RULING ON HAND TRUCKS AND
CERTAIN PARTS FROM CHINA (A-570-891)

MESSAGE NO: 8288205

DATE: 10 14 2008

CATEGORY: ADA

TYPE: LIQ

REFERENCE:

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CASES: A - 570 - 891

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PERIOD COVERED: 05 24 2004 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQUIDATION INSTRUCTIONS ON SCOPE RULING ON HAND TRUCKS
AND CERTAIN PARTS FROM CHINA (A-570-891)

1. THE DEPARTMENT RECEIVED A SCOPE RULING REQUEST FROM CENTRAL PURCHASING, LLC (CENTRAL PURCHASING). THE DEPARTMENT OF COMMERCE ISSUED A FINAL SCOPE RULING ON 10/01/2008 THAT CENTRAL PURCHASING'S WELDING CART ITEM NUMBER 65939 IS NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING HAND TRUCKS AND CERTAIN PARTS THEREOF FROM THE PRC (A-570-891).

2. THE COMMERCE DEPARTMENT DETERMINED THAT CENTRAL PURCHASING'S WELDING CART ITEM NUMBER 65939 HAS NEITHER A PROJECTING EDGE

NOR A TOE PLATE WHICH CAN SLIDE UNDER A LOAD FOR PURPOSES OF LIFTING AND/OR MOVING THE LOAD. IN ADDITION, THE OPEN RECEPTACLE AT THE LOWER SECTION OF THE VERTICAL FRAME FORMED BY THE SHEET STEEL BASE PLATE BOTTOM WITH A 4-INCH STEEL FRONT GUARD WELDED TO TWO TALL STEEL SIDE BARS PARALLEL TO THE VERTICAL FRAME MAKES THE WELDING CART ITEM NUMBER 65939 INAPPROPRIATE FOR PURPOSES OF MOVING OR LIFTING THE LOAD. THEREFORE, CENTRAL PURCHASING'S WELDING CART ITEM NUMBER 65939 IS NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING HAND TRUCKS AND CERTAIN PARTS THEREOF FROM THE PRC.

3. EFFECTIVE 10/01/2008, TERMINATE SUSPENSION AND LIQUIDATE ALL UNLIQUIDATED ENTRIES ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 05/24/2004 OF CENTRAL PURCHASING'S WELDING CART ITEM NUMBER 65939 LISTED ABOVE.

4. REFUND ANY CASH DEPOSITS WITH INTEREST AND RELEASE ANY BONDS RELATING TO CENTRAL PURCHASING'S WELDING CART ITEM NUMBER 65939 LISTED ABOVE.

5. THESE INSTRUCTIONS CONSTITUTE NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF CENTRAL PURCHASING'S WELDING CART ITEM NUMBER 65939 ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 05/24/2004.

6. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CUSTOMS AND BORDER PROTECTION ON ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CBP PAY INTEREST ON OVERPAYMENTS, OR ASSESS INTEREST ON UNDER PAYMENTS, OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE PAYMENT OF ESTIMATED ANTIDUMPING DUTIES IS REQUIRED THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621

OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

7. CONTINUE TO SUSPEND LIQUIDATION OF ENTRIES OF HAND TRUCKS AND CERTAIN PARTS THEREOF SUBJECT TO THE ANTIDUMPING DUTY ORDER COVERING HAND TRUCKS AND CERTAIN PARTS THEREOF FROM THE PEOPLE'S REPUBLIC OF CHINA.

8. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY 07:DC)

9. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

DAVID M. GENOVESE

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party